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October 7, 2022

BY ECF

Honorable James R. Cho
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Brigid Pierce v. City of New York, et al., 21-CV-3482 (PKC)(JRC)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department, assigned to the defense of the above-referenced matter. I write on behalf of all parties to respectfully provide the Court with a status update pursuant to the Court's September 7, 2022 Order.

By way of relevant background, plaintiff alleges, *inter alia*, that on or about June 3, 2020, she was peacefully protesting when the individual officers falsely arrested her and subjected her to excessive force. At the May 6, 2022 conference, the Court extended the fact discovery deadline until May 31, 2022 and ordered plaintiff's expert disclosures due on July 8, 2022. The Court further set a status conference on July 14, 2022 as plaintiff expressed an interest in pursuing settlement discussions after expert disclosures were served.

On July 1, 2022, plaintiff requested an extension of time to serve her expert disclosures and defendants consented to this request. The Court ordered plaintiff to serve her expert disclosures on August 15, 2022, and ordered a status report by August 22, 2022. On August 15, 2022, plaintiff again requested an extension of time to serve expert disclosures, and defendants again consented. The Court then extended plaintiff's time to serve her expert disclosures to September 9, 2022 and ordered a status report due on September 16, 2022. Then on September 7, 2022, plaintiff requested a third extension of time to serve her expert disclosures and defendants consented. The Court extended plaintiff's time to serve expert disclosures to September 30, 2022 and ordered a status report due on October 7, 2022.

Defendants received four expert reports from plaintiff on September 30, 2022. However, plaintiff still has not provided defendants with a settlement demand to date. Plaintiff has agreed to provide a demand within one week, by October 14, 2022. Therefore, defendants respectfully request 30 days thereafter to provide the Court with a status report so that defendants can have the time needed to review plaintiff's demand and expert disclosures in order to determine how to proceed in this matter.

The parties thank the Court for its time and consideration in this matter.

Respectfully submitted,

Nadine Ibrahim /s/

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